



# Comment Resolution The Writer's Perspective

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# What is Comment Resolution?

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- Comment resolution is the process of the Office of Primary Interest (OPI) responding to comments received during the review of a draft directive.
- All major comments submitted on behalf of the Secretarial Officer (SO) or senior-level designee must be addressed and resolved before the Directive is approved.



# WHAT WILL WE COVER?

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- Comment authorization
- The importance of open lines of communication
- Major versus Suggested comments
- How to adopt and/or respond to comments?
- Keeping on Schedule
- Concurrence/Non-Concurrence/Impasse
- Completion



# Comment Authorization

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- Per DOE M 251.1-1B, major comments authorized by the SO or designee must be responded to by the scheduled due date.
- All other comments not authorized by the SO or designee MUST NOT receive a response from the Writer.
- Comments are forwarded to the Writer by the SO's Directives Point of Contact (DPC).



# COMMUNICATION

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- Communication is key to successful Directives implementation!
- Call or e-mail the commenter in a timely manner if you need clarity.
- Comments that may impact nuclear operations/safety must be coordinated with the Departmental Representative to the Defense Nuclear Facilities Safety Board (DNFSB) and the Central Technical Authorities (CTA).



# MAJOR VS. SUGGESTED COMMENTS

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- Major issues/comments are a category of review comments that address issues serious enough to preclude or significantly hamper the Department's ability to:
  - accomplish policy objectives and missions;
  - comply with applicable laws, rules and regulations; and
  - fulfill contractual obligations and formal commitments.



# MAJOR VS. SUGGESTED COMMENTS-CON'T

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- Suggested comments are a category of review comments not related to any potentially serious, adverse effects that might affect an organization through implementation of a draft Directive.
- All comments to Guides will be categorized as “Suggested” and should be addressed by the Writer.



# COMMENT RESOLUTION

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- At the close of the review and comment period, the OPI must use RevCom to respond to all comments.
- The OPI must respond to each comment with “accept,” “accept with modification,” or “reject.”
- For “accept” and “accept with modification” comments, the OPI will make changes to the draft to reflect the change.





# COMMENT RESOLUTION- CON'T

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- For “reject” comments, the OPI does not agree with the comment and will not modify the draft, but should communicate with the commenter to reach a resolution.
- For “accept with modification” and “reject” comments, the OPI must provide a rationale.



# SCHEDULE

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- All major comments authorized by the SO or designee MUST be responded to by the scheduled due date.
- Remember to stay on schedule! Your schedule was determined by the track you initially chose for your Directive.



# SCHEDULE-CON'T

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- If the Writer's proposed resolution package has not been submitted back to MA-44 by the due date, the Directive will automatically be placed in an "on-hold" status. This will allow the Writer to complete the resolution process.
- If the proposed resolution package has not been completed within a 60-day period of being "on-hold," then the Directive is withdrawn and the Writer may have to start the coordination process from the beginning.



# ADOPTING COMMENTS

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- If comments are adopted during the comment resolution period, then they must be incorporated into the second draft of the directive notated in redline/strikeout.
- The second draft must be made available for final review by interested parties.



# ADOPTING COMMENTS CON'T

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- With the approval of the SOs, the DPCs must concur in RevCom if they agree with the proposed comment resolution(s) and the second draft.
- Any new requirements or responsibilities added or deleted must be concurred on by GC, NNSA, affected elements and MA-44.



# CONCURRENCE

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- If a major comment has been submitted and is incorporated satisfactorily into the second draft, then the Writer will request a written concurrence from the SO that submitted the major comment.



# NON-CONCURRENCE

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- Each SO that has submitted major comments, but does not agree on the comment incorporation MUST respond with a non-concurrence and a written justification approved by the SO.
- SOs that did not comment, but are concerned that the incorporation of others comments would have an adverse effect may also submit a non-concurrence.

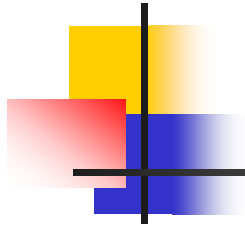


# NON-CONCURRENCE CON'T

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- A non-concurrence MUST be withdrawn if parties reach resolution in the review time frame for the second draft of the directive.
- ALL non-concurrences must be resolved before approval for final publication.
- If the non-concurrence cannot be resolved within the second draft, then the next step is the “impasse” process.





# IMPASSE PROCESS

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- The impasse process is designed to assist elements in reaching a resolution and/or decision.
- MA-44 will act as a neutral third party.
- Within 7 days after the closing period of the second draft, MA-44 will facilitate resolution between the OPI and commenters.



# IMPASSE PROCESS CON'T

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- If issues cannot be resolved at that level, then within the next 8 days, the issues will be elevated to the affected SO's of the for resolution.
- If the issues still cannot be resolved, then MA-44 will provide the Deputy Secretary with a decision paper by which to render a decision.



# FINALIZING YOUR DIRECTIVE

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- At the end of the second review, if all concurrences have been obtained, the OPI must submit the final clean draft directive.
- An approval memo and synopsis, jointly developed by the OPI and MA-44, and signed by the OPI SO is forwarded thru MA-44 for MA-1 signature and approval by the Deputy Secretary.